

**STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION**

<b>UNION ELECTRIC COMPANY,</b>	:	
<b>d/b/a AmerenUE</b>	:	
	:	Docket No. 01-0447
Petition for special permission to place revised	:	
tariff sheets into effect on less than 45 days notice.	:	

**NOTICE OF FILING**

Please take notice that today we have filed a Petition for Rehearing in the above-referenced proceeding.

Dated: June 28, 2001

Union Electric Company

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Christopher W. Flynn  
Eacata D. Gregory  
Jones, Day, Reavis & Pogue  
77 W. Wacker, Suite 3500  
Chicago, Illinois 60601  
(312) 782-3939  
(312) 782-8585 (fax)  
[cflynn@jonesday.com](mailto:cflynn@jonesday.com)  
[edgregory@jonesday.com](mailto:edgregory@jonesday.com)

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**PETITION FOR REHEARING**

Union Electric Company ("AmerenUE") hereby petitions the Commission for rehearing in the above-captioned matter for the purpose of reconsidering its June 19, 2001 Order (the "Order") regarding AmerenUE's request for special permission to place amendments to its Riders TC and PPOS into effect on less than 45 days notice. The Order largely rejects AmerenUE's request, and suggests to AmerenUE that, instead, AmerenUE should revise its tariffs to offer a 45 day open season to existing PPO customers to allow them to choose among several service options listed by the Commission in the Order.

AmerenUE does not have any existing PPO customers; accordingly, the changes suggested by the Commission are not necessary.

AmerenUE does request the Commission to reconsider its decision not to approve the suspension of AmerenUE's Riders TC and PPOS on the proposed terms. AmerenUE believes that the Commission has read the terms of the Public Utilities Act (the "Act") too narrowly. AmerenUE seeks to spur competition in its service territory by suspending its collection of a transition charge for at least two years. Since AmerenUE cannot predict with certainty the future behavior of the market, AmerenUE is not willing to commit to a suspension of transition charge collections beyond two years or to permanently waive its right to collect

such a charge. Accordingly, AmerenUE proposed a tariff suspension that would expire in two years.

The Order declines to accept a suspension, and suggests that the Act requires transition charges to be assessed continuously throughout the transition period. AmerenUE believes that this reading of the Act is too restrictive. The Commission should read the statute to mean that transition charge recovery cannot extend beyond a certain date -- not that a utility must calculate a charge throughout the entire transition period.

The Order's interpretation of the Act in this regard reflects no particular policy voiced to date, and AmerenUE does not believe that this view is reflected anywhere in the legislative history. The Order effectively requires utilities to select all or nothing stranded cost recovery: if a utility does not seek to recover the full amount of stranded costs possible over the remainder of the recovery period, then it cannot collect anything. Who does this serve to protect? Not ratepayers -- it incentivizes utilities to collect the maximum possible. Not utilities -- it means that utilities that to date have not sought recovery will never be able to do so. And not ARES -- it means that the transition charge, which ARES view as an impediment to competition, will be in effect throughout the entire transition period.

The Commission should not interpret the Act in a way that serves no constituency, and, in fact, hampers efforts to spur competition within the Ameren service territory.

WHEREFORE, for all the reasons stated herein, AmerenUE respectfully requests that the Commission reconsider its Order.

Respectfully submitted,

Union Electric Company

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Christopher W. Flynn  
Eacata D. Gregory  
Jones, Day, Reavis & Pogue  
77 W. Wacker, Suite 3500  
Chicago, Illinois 60601  
(312) 782-3939  
(312) 782-8585 (fax)  
[cflynn@jonesday.com](mailto:cflynn@jonesday.com)  
[edgregory@jonesday.com](mailto:edgregory@jonesday.com)

Joseph H. Raybuck  
Ameren Services Company  
1901 Chouteau Avenue  
P.O. Box 66149 (M/C 1310)  
St. Louis, Missouri 63166-6149  
(314) 554-2976  
(314) 554-4014(fax)  
[jraybuck@ameren.com](mailto:jraybuck@ameren.com)

**SERVICE LIST**  
**DOCKET NO. 01-0447**

Chairman Richard L. Mathias  
Illinois Commerce Commission  
527 East Capitol Avenue  
Springfield, IL 62701

Commissioner Ruth K. Kretschmer  
Illinois Commerce Commission  
527 East Capitol Avenue  
Springfield, IL 62701  
19

Commissioner Terry S. Harvill  
Illinois Commerce Commission  
527 East Capitol Avenue  
Springfield, IL 62701

Commissioner Edward C. Hurley  
Illinois Commerce Commission  
527 East Capitol Avenue  
Springfield, IL 62701

Commissioner Mary Frances Squires  
Illinois Commerce Commission  
527 East Capitol Avenue  
Springfield, IL 62701

Richard Favoriti  
Office of the General Counsel  
Illinois Commerce Commission  
160 N. LaSalle, Ste. C-800  
Chicago, IL 60601

Patrick Foster  
Office of the General Counsel  
Illinois Commerce Commission  
527 East Capitol Avenue  
Springfield, IL 62701

**CERTIFICATE OF SERVICE**

I, Christopher W. Flynn, an attorney, hereby certify that I caused the Petition for Rehearing on behalf of AmerenUE to be served on the attached Service List on this 28th day of June, 2001 via Federal Express.

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Christopher W. Flynn